

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

LEMOND CYCLING, INC.,

Plaintiff,

v.

TREK BICYCLE CORPORATION,

Defendant and Third-Party
Plaintiff,

v.

GREG LEMON, D,

Third-Party Defendant.

Case No. 08-CV-1010 (RHK-JSM)

**DECLARATION OF
EMILY S. ZASTROW IN
SUPPORT OF TREK'S MOTION
FOR SUMMARY JUDGMENT**STATE OF WISCONSIN)
) SS.
MILWAUKEE COUNTY)

I, EMILY S. ZASTROW, declare as follows:

I am an adult resident of the State of Wisconsin and am a paralegal employed by Gass Weber Mullins LLC, counsel for Trek in this action. I make this Declaration on personal knowledge and in support of Trek's Motion for Summary Judgment.

1. Attached as Exhibit 1 are true and correct copies of pages from the February 18, 2009 deposition testimony of Mr. Sidney Bluming.

2. Attached as Exhibit 2 are true and correct copies of pages from the April 7, 2009 deposition testimony of Mr. John Burke.

3. Attached as Exhibit 3 are true and correct copies of pages from the March 17, 2009 deposition testimony of Mr. Warren Gibson.

4. Attached as Exhibit 4 are true and correct copies of pages from the January 5, 2009 deposition testimony of Ms. Elisabeth Huber.

5. Attached as Exhibit 5 are true and correct copies of pages from the May 12, 2009 deposition testimony of Mr. Aaron Mock.

6. Attached as Exhibit 6 is a true and correct copy of Plaintiff's Second Amended Answers and Objections to Trek's Second Set of Written Discovery to LeMond Cycling, Inc. and Greg LeMond, dated August 17, 2009.

7. Attached as Exhibit 7 are true and correct copies of pages 1 and 4-5 of LeMond's Rule 26 Itemization of Damages, dated June 8, 2009.

8. Attached as Exhibit 8 is a true and correct copy of the expert report of Jay Townley on behalf of LeMond, dated August 13, 2009.

9. Attached as Exhibit 9 is a true and correct copy of the expert report of Melissa Snelson on behalf of LeMond, dated August 17, 2009.

10. Attached as Exhibit 10 is a true and correct copy of a February 29, 2008 letter from Bob Burns to Sidney Bluming (TREK001047-1052).

11. Attached as Exhibit 11 is a true and correct copy of the expert report of Denis Briscadieu on behalf of Trek, dated June 9, 2009.

12. Representatives for LeMond (Sidney Bluming and Nathan Jenkins) and representatives for Trek (Dick Burke and John Burke) transmitted no fewer than twenty-four deal memos, faxes, and draft agreements over the course of the negotiations before finalizing the June 29, 1995 agreement signed by LeMond and Trek (*see* the Sidney Bluming deposition exhibit nos. 102-103, 105-107, 109-111, 113-121).

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on October 9, 2009.

s/Emily S. Zastrow
Emily S. Zastrow